

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE FOREIGN EXCHANGE BENCHMARK RATES
ANTITRUST LITIGATION

No. 13 Civ. 7789 (LGS)

**[PROPOSED] ORDER DENYING PLAINTIFFS' MOTION FOR CLASS
CERTIFICATION**

On May 31, 2018, Plaintiffs served a motion for class certification, seeking certification of two classes, an OTC Class and an Exchange Class, bringing claims pursuant to Sections 1 and 3 of the Sherman Act, 15 U.S.C. §§ 1, 3. The Court, having considered the parties' written submissions, the arguments of Counsel, if any, prior filings, records, and proceedings, and for good cause shown, hereby finds that:

1. Plaintiffs provide no basis for certification of the Exchange Class;
2. Questions of law and fact are not common to the proposed Classes and do not predominate over questions affecting individual members;
3. The claims of the Plaintiffs are not typical of the claims of the Classes;
4. The Plaintiffs and their counsel will not fairly and adequately represent and protect the interests of the proposed Classes; and
5. A class action is not the superior method of proceeding with the claims in this Action.

Based on the foregoing, **IT IS HEREBY ORDERED** that Plaintiffs' Motion for Class Certification is **DENIED** in its entirety.

Dated: _____

HON. LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE